

Exhibit 1

Exhibit 1



George Togliatti, Director

COMMAND STAFF

Chief Patrick Conmay

Office: 775-684-7410

Email: pconmay@dps.state.nv.us

Deputy Chief Ryan Miller

Office: 775-684-7427

Email: rmiller@dps.state.nv.us

Lieutenant Daniel Johnson

Office: 775-684-7453

Email: ddjohnson@dps.state.nv.us

LAS VEGAS OFFICE

Sergeant Jeffrey Jourdan, I437

Office: 702-668-3259

Cell: 702-539-7871

Email: jjourdan@dps.state.nv.us

Detective Patrick Halligan, I428

Office: 702-828-2233

Cell: 702-494-9160

Email: phalligan@dps.state.nv.us

Detective Wesley Lefler, I475

Office: 702-668-3262

Cell: 702-350-3034

Email: wlefler@dps.state.nv.us

Detective Matthew Wehn, I502

Office: 702-668-3261

Cell: 702-239-9165

Email: mwehn@dps.state.nv.us

Detective Wendy Remmers, I523

Office: 702-668-3263

Cell: 702-286-9704

Email: wremmers@dps.state.nv.us

AAlli Sara Toms

Office: 702-668-3265

Email: sara.toms@dps.state.nv.us

**NEVADA DEPARTMENT OF PUBLIC SAFETY
INVESTIGATION DIVISION**

**OFFICER INVOLVED SHOOTING
INVESTIGATION REPORT**

NVDPS-ID Case #: 19I000059

Requesting Agency: Nye County Sheriff's Office
Requesting Agency Case #: 19NY-0310

Date of Incident: January 28, 2019

Time of Call: 17:07 hours

Time of OIS: 17:19 hours

Location of Incident: Mercury Hwy/Burma Curve of Area 5

Assigned Detectives: Wendy Remmers, I523
Matthew Wehn, I502

Involved Officer: **Deputy John Kakavulias**
Agency: Nye County Sheriff's Office
Badge #: 56130

Security Police Officer Trequis Harris
SOC

Suspect: **Nekiyo Dawayne Graves**
Date of Birth: [REDACTED]
Spillman BIN #: 1691486

Date of report: May 16, 2019

Submitted by: Detective Wendy Remmers, I523

W. Remmers I523

Approved by: Sergeant Jeffrey Jourdan, I437

J. Jourdan I437

NYE-00003

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A) PERSONS INVOLVED

Involved Officer (Section 4)

Name: **John Kakavulias**
Agency: Nye County Sheriff's Office
Substation: Mercury Test Site
Date of hire: October 2002
Area of assignment: Deputy
Badge #: 56130
Shift: 7A-5P
Call sign: Mary 3
Statement given to NVDPS-ID: Yes (Audio Recorded)



Weapon

Make: New Frontier Armory
Model: Patrol 15
Caliber: .223
Serial number: NYE030

For complete details of the interview of Deputy Kakavulias refer to the NVDPS-ID supplemental reports, detailing the summary of the interview, and the digital copy of the audio recordings. Involved officer information is contained in Section 4.

Name: **Trequis Harris**
Agency: SOC
Substation: Mercury Test Site
Area of assignment: Security Police Officer
Statement given to NVDPS-ID: No



Statement given to the Federal Bureau of Investigation on 1/28/2019.

Weapon

Make: Colt
Model: M4A1
Caliber: 5.56
Serial number: W353621

Involved officer information is contained in Section 4.

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Witness Officers (Section 5)

Name: **Dalton Lau**
Agency: SOC
Substation: Nevada National Security Site
Area of assignment: Security Police Officer (SPO)
Shift: 5:30A-5:30P
Assignment during OIS: Gate 100
Statement given to NVDPS-ID: Yes (Audio Recorded)

Name: **Chris Jordan**
Agency: Nye County Sheriff's Office
Substation: Mercury Test Site
Area of assignment: Lieutenant
Badge #: 58216
Shift: 7A-5P
Call sign: Nye 5
Statement given to NVDPS-ID: Yes (Audio Recorded)

Name: **Troy Durocher**
Agency: SOC
Substation: Nevada National Security Site
Area of assignment: Lieutenant
Shift: Graveyard (5P-5A)
Statement given to NVDPS-ID: Yes (Audio Recorded)

Name: **William Gomer**
Agency: SOC
Substation: Nevada National Security Site
Area of assignment: Security Police Officer
Assignment during OIS: Leaving the test site
Statement given to NVDPS-ID: Yes (Audio Recorded)

Name: **Albert Fischetti**
Agency: SOC
Substation: Nevada National Security Site
Area of assignment: Lieutenant
Statement given to NVDPS-ID: Yes (Audio Recorded)

Name: **Edward Saenz**
Agency: SOC
Substation: Nevada National Security Site
Area of assignment: Lieutenant
Shift: Graveyard (5P-5A)
Statement given to NVDPS-ID: Yes (Audio Recorded)

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Name: **Tyler Jones**
Agency: SOC
Substation: Nevada National Security Site
Area of assignment: Security Police Officer
Assignment during OIS: Gate 100
Statement given to NVDPS-ID: Yes (Audio Recorded)

Name: **Joseph Thurmond**
Agency: SOC
Substation: Nevada National Security Site
Area of assignment: Security Police Officer
Assignment during OIS: Gate 100
Statement given to NVDPS-ID: Yes (Audio Recorded)

Name: **Kyle Penrod**
Agency: SOC
Substation: Nevada National Security Site
Area of assignment: Security Police Officer
Assignment during OIS: Gate 100
Statement given to NVDPS-ID: Yes (Audio Recorded)

Name: **Jared Payne**
Agency: SOC
Substation: Nevada National Security Site
Area of assignment: Security Police Officer
Assignment during OIS: Gate 100
Statement given to NVDPS-ID: Yes (Audio Recorded)

Name: **William Gomer**
Agency: SOC
Substation: Nevada National Security Site
Area of assignment: Security Police Officer
Assignment during OIS: Leaving the test site
Statement given to NVDPS-ID: Yes (Audio Recorded)

Each of the above listed NCSO personnel and SOC personnel were identified as victim/witnesses to the Officer Involved shooting involving Nekiyo D. Graves. For complete details of their interviews refer to the NVDPS-ID supplemental reports, detailing the summary of the interview, and the digital copies of the audio recordings. Victim/Witness officer information is contained in Section 5.

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Suspect – Deceased

Name: **Nekiyllo D. Graves**
DOB: [REDACTED]
SSN: [REDACTED]
Spillman BIN: 1691486
Race: Black
Height/Weight: 5'5" / 210 lbs.
Hair/Eyes: Black / Brown
Address: 321 W. Dale St
Waterloo, IA 50703
Phone number: 319-239-6129



****Convicted Felon****

Criminal charge / offenses committed by Nekiyllo GRAVES during the incident:

Nevada Revised Statute (NRS) 207.200 - Unlawful trespass upon land- NRS 484B.550 - Stop required upon signal of peace officer and NRS 202.445 - Acts of terrorism or attempted acts of terrorism prohibited.

Suspect Background:

During the investigation of the incident the Nevada Threat Analysis Center (NTAC) conducted an open source internet search related to Nekiyllo GRAVES. Refer to Section 3 for located Facebook posts, information and Detective Remmers' supplemental report.

The Federal Bureau of Investigation (FBI) conducted several interviews with family and coworkers in the Cedar Rapids, IA area. During the course of the interviews, no one knew about GRAVES' plan to travel to Nevada. His sister Natoya Cole, stated he has always had a fascination with paranormal activity, religion and anything that he believes is not thoroughly reported on by the mainstream media. She asked if the incident happened at Area 51, not because he has ever talked specifically about going there, but it would be something that would interest him.

Nekiyllo GRAVES' mother, Eureka Graves, stated Nekiyllo GRAVES has had past mental health issues, but did not know the extent of those issues or what exactly they were.

NVDPS-ID, Detective Remmers, conducted a telephone interview with Eric Lehman, probation officer, with the State of Iowa Department of Corrections, Sixth Judicial District. Lehman stated GRAVES was diagnosed with depression when he was 15-16 years old. GRAVES saw a therapist in 2014; however no follow up was ever done. GRAVES completed Substance Abuse Outpatient on July 20, 2017. He tested positive again for marijuana on November 13, 2018.

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Suspect Criminal History:

A review of the criminal history for Nekiyo GRAVES was conducted and the following was noted: In 2012 Nekiyo GRAVES was convicted of an aggravated misdemeanor offense of Go Armed with Knife Blade > 8" and a serious misdemeanor offense of Assault of Peace Officers and Others, in the state of Iowa. In 2016 Nekiyo GRAVES was convicted of a felony offense Controlled Substance Violation, Intent to Deliver Marijuana under 50kg in Iowa and was placed on felony probation. He was currently on probation in the state of Iowa during the incident. Nekiyo GRAVES had numerous misdemeanor charges; however the disposition is unknown on those cases.

B) INCIDENT SUMMARY

On January 28, 2019, at approximately 1700, the Nevada National Security Site at Gate 100, received a phone call from an employee leaving the facility. He stated a dark colored sedan was driving erratically towards the gate.



The Security Police Officers (SPOs) witnessed a black car driving up to the gate. Several SPOs approached the vehicle. The suspect (later identified as Nekiyo GRAVES) in the vehicle stopped at the gate and was speaking coherently and normal. GRAVES was calm and was attempting to find a gas station. The SPOs indicated a smell of marijuana was emitting from GRAVES' vehicle. GRAVES was instructed by several SPOs there was no gas stations available and he needed to turn around and head back to Indian Springs. GRAVES backed up his vehicle, stopped, stated "What if I don't" and then sped at a high rate of speed through the gate.

SPO Trequis Harris and Dalton Lau got into their assigned vehicles and pursued GRAVES' vehicle. It was called out over the radio that there was a "gate runner." The Nye County Sheriff's Office (NCSO) was notified of the incident and responded to assist. Deputy Kakavulias and Lieutenant Jordan got in their assigned vehicles and followed in pursuit, with their emergency lights activated.

Deputy Kakavulias reached speeds in excess of 114mph, while in pursuit of GRAVES. After approximately eight miles, GRAVES came to a stop on Mercury Highway. Deputy Kakavulias,

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Lt. Jordan, SPO Harris and SPO Lau stopped behind GRAVES' car. Deputy Kakavulias was the first officer out of his vehicle. He gave commands to GRAVES to "get on the ground" "show me your hands". GRAVES failed to comply with commands. GRAVES stood next to his vehicle and stared in the officer's direction. At no time did any officer see GRAVES' hands. GRAVES got back into his vehicle and before he had a chance to drive away, Deputy Kakavulias fired one round into the driver's side rear tire. All officers returned to their vehicles and continued in pursuit.

Approximately a half mile down the road at the Mercury Highway/Burma Curve area, GRAVES again came to a stop. Deputy Kakavulias, Lt. Jordan, SPO Harris, SPO Lau and other SOC personnel came to a stop approximately 150 feet behind GRAVES' vehicle. GRAVES got out of his vehicle and started walking towards the officers in a slow manner. He had his hand behind his back. Deputy Kakavulias and SPO Harris positioned themselves behind Deputy Kakavulias' driver's side door. Deputy Kakavulias began giving GRAVES verbal commands such as "stop" "show me your hands" "get on the ground" however GRAVES continued leisurely walking towards the officers with his hands behind his back. He did not show the officers his hands at any time during the incident. GRAVES had no emotion and did not say anything during this time.

When GRAVES was approximately six to eight feet in front of Deputy Kakavulias' vehicle, Deputy Kakavulias fired three rounds at GRAVES and SPO Harris fired one round at GRAVES. Immediately following the incident "shots fired" was called on the radio and there was a request for fire and medical. Deputy Kakavulias rolled the suspect on his stomach and handcuffed him. He searched GRAVES and a brass knuckles knife was lying next to the GRAVES and a vape pen battery was also located. Deputy Kakavulias then began doing CPR on GRAVES and continued with other personnel until medical arrived.



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NCSO Sheriff Sharon Wehrly requested the investigative assistance of the Nevada Department of Public Safety - Investigation Division (NVDPS-ID) to investigate the Officer Involved Shooting.

On January 29, 2019, NVDPS-ID Detective Remmers was assigned as the lead case agent and Detective Wehn was assigned as her assisting partner.

On January 31, 2019, Sergeant Jourdan and Detective Remmers responded to the NCSO and met with NCSO personnel. The purpose of the meeting was to be briefed as to the status of the NCSO investigation and to facilitate the transfer of information from NCSO to NVDPS-ID.

The following persons were present in the meeting:

- 1) Sheriff Sharon Wehrly (NCSO)
- 2) Sergeant Adam Tippetts (NCSO)
- 3) Lieutenant David Boruchowitz (NCSO)
- 4) Sergeant Jeffrey Jourdan (NVDPS-ID)
- 5) Detective Wendy Remmers (NVDPS-ID)

C) BODY WORN CAMERAS

Due to the sensitive nature of the business conducted at the Nevada National Security Site, NCSO do not use body worn cameras.

No body worn camera or dash camera footage is available.

D) SCENE WALK-THROUGHS

The purpose of the scene walk-through was to help investigators develop an understanding of the scene, including identifying officer location(s) at the time deadly force was used, identifying potential physical evidence, and re-creating a timeline of the incident.

The investigative assistance was not requested from NVDPS-ID immediately following the officer involved shooting. It was learned scene walk-throughs had not been conducted by the FBI during their investigation of the scene.

E) OFFICER WEAPON COUNTDOWNS

The investigative assistance of NVDPS-ID was not requested immediately following the officer involved shooting. During the meeting with NCSO personnel on February 12, 2019, it was learned no photographs were taken of the involved officer by NCSO and no photographs were taken of witness officers or SOC personnel. It was also learned no formal countdown procedure was conducted or documented with any NCSO officers or SOC personnel.

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The following information is compiled from NCSO reports, FBI reports, NVDPS-ID interviews, NCSO officer statements, and evidence items.

Deputy John Kakavulias – Involved Officer

Deputy Kakavulias was reported to be wearing clothing consistent with his assignment as a NCSO Deputy, black boots, dark brown pants, tan button up shirt with NCSO badge on his chest and on the sleeves. He had FTO pins on the collar and a gold name plate on his right chest. He had his duty weapon, three magazines and an empty taser holster on his belt. He was not wearing his plate carrier, at the time of the incident. No photographs were taken of Deputy Kakavulias after the incident.

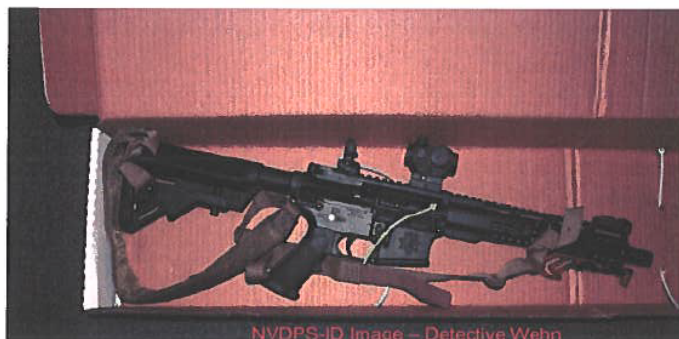
Following the officer involved shooting Deputy Kakavulias was the only NCSO personnel who reported discharging a weapon, a department issued .223 rifle. The FBI Evidence Response Team took custody of the rifle.

FBI records indicate that Deputy Kakavulias' issued rifle, personal magazine and ammunition were booked as evidence by the FBI at FBI Las Vegas Field Office. Later custody was released to NVDPS-ID and the evidence was booked into the Las Vegas Evidence Vault, located at 4615 W Sunset, Las Vegas, NV 89118.

During an interview with NVDPS-ID, Deputy Kakavulias stated he carried his rifle for duty in the following manner; the chamber of the rifle empty, a 60 round drum inserted in the lower receiver with sixty (60) cartridges loaded in the magazine, 60 total.

The following information is compiled from NCSO reports, interviews, NCSO statements, information received and evidence items.

Make	New Frontier Armory	
Model	Patrol 15	
Serial Number	NYE030	
Caliber	.223	
Weapon Mounted Light	Yes	
Cartridge in Chamber	0	
Magazine from Weapon	Capacity:	60 cartridges
Magazine from Weapon	Booked as Evidence:	55 cartridges
	Casings Recovered:	4



NVDPS-ID Image – Detective Wehn

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Due to lack of body cam footage and round countdown, it is unable to be determined how many rounds Deputy Kakavulias fired from his rifle.

SPO Trequis Harris – Involved Security Police Officer

SPO Harris reported to be wearing camouflage pants and a beige shirt. SPO Harris denied interviewing with NVDPS-ID; however the FBI collected his clothing for evidence. No further information is known regarding SPO Harris' clothing or equipment.

Following the officer involved shooting SPO Harris was the only SOC personnel who reported discharging a weapon, a department issued Colt "Harris" 5.56caliber rifle. The FBI Evidence Response Team took custody of the rifle.

FBI records indicate that SPO Harris' issued rifle, pmag and ammunition was booked as evidence by FBI at FBI Las Vegas Field Office. Later custody was released to NVDPS-ID and the evidence was booked into the Las Vegas Evidence Vault, located at 4615 W Sunset, Las Vegas, NV 89118.

Make	Colt	
Model	M4A1	
Serial Number	W353621	
Caliber	5.56	
Weapon Mounted Light	Yes	
Ammunition	unknown	
Cartridge in Chamber	0	
Magazine from Weapon	Capacity:	30 cartridges
	Booked as Evidence:	28 cartridges
	Casings Recovered:	1



Due to lack of body cam footage and round countdown, it is unable to determine how many rounds SPO Harris fired from his rifle.

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F) SEARCH WARRANTS (Section 10)

Telephonic search warrants were obtained by NCSO Detective Logan Gibbs from Beatty Justice Court, Judge Gus Sullivan for a 2017 Black Kia Forte with Iowa Plates GMX 922.

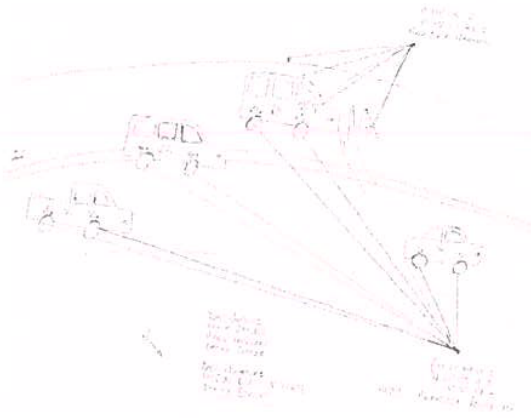
NVDPS-ID obtained search warrants for the following:

- Facebook
- Electronic Devices
- WhatsApp
- Google
- Skype

Refer to copies of the search warrants, transcripts, returns and copies of the audio recordings contained in Section 10.

G) SCENE INVESTIGATION (Section 8)

On January 28, 2019, FBI personnel responded to the Nevada National Security Site and processed the crime scene. During the processing of the crime scene, the FBI completed a sketch of the scene, photographed the scene, identified and seized evidence.



FBI Crime Scene Sketch



GOOGLE N 36 45 11.7 W115 59 39.5

To view the images taken and the reports completed by the responding agents refer to Section 8.

H) EVIDENCE RECOVERED / EVIDENCE REPORTS (Section 7)

NVDPS-ID Evidence:

The below items are the items booked by NVDPS-ID during the investigation of Case Number 19I000059:

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1A	CD CONTAINING NCSO 19NY-0311 911 AUDIO, CAD LOG, AND RADIO AUDIO
2A	PROJECTILE FROM BODY (W/ORIGINAL PACKAGE FROM FBI)
2B	28 ROUNDS 5.56 AMMO - 1B19 - HARRIS
2C	MAGAZINE FROM HARRIS WEAPON (W/ ORIGINAL PACKAGING) 1B19
2D	.223 SHELL CASING - FRONT DRIVERS SIDE TAHOE (W/ORIGINAL PACKAGING) 1B22
2E	.223 SHELL CASING - PASSENGER DOOR TAHOE (W/ORIGINAL PACKAGING) 1B23
2F	5.56 SHELL CASING NEAR DRIVERS SIDE REAR TIRE (W/ORIGINAL PACKAGING) 1B24
2G	.223 SHELL CASING - DRIVERS SIDE FLOOR BOARD (W/ORIGINAL PACKAGING) 1B25
2H	.223 SHELL CASING - GPS (W/ORIGINAL PACKAGING) 1B26
2I	LIVE ROUND EXCLUDER - FORD TRUCK (W/ORIGINAL PACKAGING) 1B27
2J	NEW FRONTIER ARMORY PATROL-15 Serial #: NYE-030 NEW FRONTIER ARMORY, PATROL - 15, MULTI, NYE-030 (.223) 1B14 & 1B15 - WITH OPTIC
2K	COLT DEFENSE M4A1 CARBINE Serial #: W353621 COLT M4A1 5.56 (SN W353621) W/AIMPOINT OPTIC - 1B17 & 1B18
2L	P-MAG, D-60 .223 MAGAZINE - DEPUTY KAKAVULIAS 1B16
2M	55 ROUNDS .223 AMMO (W/ORIGINAL PACJAGING) 1B16
3A	CD AUDIO FILE INTERVIEW OF NCSO LT CHRIS JORDAN
3B	CD AUDIO INTERVIEW WITH DEPUTY JOHN KAKAVULIAS
4A	SOC AUDIO FILES ON CD
5A	AUDIO FILE P. BRINKERHOFF INTERVIEW 2/11/19
6A	AUDIO FILE R. MCDONALD INTERVIEW 2/11/19
7A	CD - PHOTOS OF BULLET DAMAGE TO DEPUTY KAKAVULIAS VEHICLE
8A	URINE COLLECTED FROM DEPUTY JOHN KAKAVULIAS BAR CODE 053832
9A	AUDIO CD INTERVIEW WITH SPO WILLIAM GOMER 2/13/2019
9B	AUDIO CD INTERVIEW WITH SPO JOSEPH THURMOND 2/13/19
9C	AUDIO CD INTERVIEW WITH SPO TYLER JONES 2/13/19
9D	AUDIO CD INTERVIEW WITH LT ALBERT FISCHETTI 2/13/19
9E	AUDIO CD INTERVIEW WITH SPO DALTON LAU 2/13/19
9F	AUDIO CD INTERVIEW WITH LT EDWARD SAENZ 2/13/19
10A	AUDIO CD INTERVIEW WITH SPO KYLE PENROD 2/20/19
10B	AUDIO CD INTERVIEW WITH LT TROY DUROCHER 2/20/19
10C	AUDIO CD INTERVIEW WITH SPO JARED PAYNE 2/20/19
11A	FBI CRIME SCENE PHOTOS
12A	GOOGLE SEARCH WARRANT RETURN
13A	WHATSAPP SEARCH WARRANT RETURN
14A	SKYPE SEARCH WARRANT RETURN
15A	FACEBOOK KILO.THE.CONQUEROR SEARCH WARRANT RETURN
15B	FACEBOOK KILO.GRAVES SEARCH WARRANT RETURN
16A	LVMPD FORENSIC LAB REPORT
17A	CD CONTAINING CELL PHONE FORENSIC DOWNLOAD

After the items seized at the scene by FBI were released to NVDPS-ID, the evidence items were opened, photographed repackaged and booked at the NVDPS-ID Evidence Vault, Las Vegas. Refer to the images of FBI scene evidence, evidence reports, chain of custody reports, property receipts and other evidence documents in Section 7 for complete details.

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I) ELECTRONIC DEVICE DIGITAL EXTRACTION (Section 13)

Following the incident a digital extraction was conducted on the electronic devices of Nekiyo GRAVES. The extraction was completed by the FBI CART Team. A review of the information obtained during the extraction was completed by Detective Wehn. Refer to Section 13 for Detective Wehn's supplemental report and full copy of the digital extraction.

J) AUTOPSY INFORMATION (Section 3)

On January 29, 2019, the Clark County Office of the Coroner / Medical Examiner, conducted an autopsy on the body of Nekiyo D. GRAVES Case 19-00534. The autopsy was conducted by Chiara Mancini, D.O.

The following items of evidence were located and impounded:

- 1) Recovered projectiles.

The following wounds/injuries were noted on Nekiyo D. GRAVES:

- 1) Gunshot wound of left upper chest:
- 2) Gunshot wound of left medial chest:
- 3) Gunshot wound of abdomen:
- 4) Abrasions of the face and left elbow:

Upon the completion of toxicology testing, the following results were noted:

- 1) Ethanol (14 mg/dL; 0.014 BAC)
- 2) Delta-9 THC (14ng/mL)
- 3) Delta-9 Carboxy THC 370 ng/mL)

After a complete autopsy, Chiara Mancini, D.O. opinioned Nekiyo D. GRAVES died as a result of multiple gunshot wounds. The manner of death was Homicide.

Refer to Section 2 for copies of the Clark County Office of the Coroner/Medical Examiner report, toxicology report.

K) CIVILIAN WITNESS STATEMENTS (Section 6)

The following persons were contacted reference their knowledge of the facts and circumstances related to the incident:

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Paul Brinkerhoff

DOB:

SSN:

Address:

Witness; provided a verbal statement and audio recorded statement during NVDPS-ID canvass. Refer to report in Section 6.

Rochelle McDonald

DOB:

SSN:

Address:

Witness; provided a verbal statement and audio recorded statement during NVDPS-ID canvass. Refer to report in Section 6.

Eric Lehman

Probation Officer, with the State of Iowa Department of Corrections, Sixth Judicial District

Witness; provided a verbal statement to NVDPS-ID. Refer to report in Section 6.

Randy Barksdale

DOB:

Address:

Phone number:

Witness; provided a verbal statement to the FBI on 2/1/2019. Refer to the report in Section 6.

Jerry Freter

DOB:

Address:

Witness; provided a verbal statement to the FBI. Refer to the report in Section 6.

Chris Rivers

DOB:

Phone number:

Witness; provided a verbal statement to the FBI. Refer to the report in Section 6.

Lisa Armstrong

DOB:

Phone number:

Witness; provided a verbal statement to the FBI. Refer to the report in Section 6.

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Amy Veon

Criminal Intelligence Analyst with the Iowa Department of Public Safety

Witness; provided a verbal statement to the FBI. Refer to the report in Section 6.

Cortez Riggins

Coworker

DOB: [REDACTED]

Interviewed at Kraft Heinz Company: 4601 C Street SW, Cedar Rapids, IA

Witness; provided a verbal statement to the FBI. Refer to the report in Section 6.

Hassan Selim

Imam for the Islamic Center of Cedar Rapids, IA

Witness; provided a verbal statement to the FBI. Refer to the report in Section 6.

Lindy Helm

Coworker

Interviewed at Kraft Heinz Company: 4601 C Street SW, Cedar Rapids, IA

Witness; provided a verbal statement to the FBI. Refer to the report in Section 6.

Rufina Gillett

Manager for Quality and Sanitation at Kraft Heinz Company

Interviewed at Kraft Heinz Company: 4601 C Street SW, Cedar Rapids, IA

Witness; provided a verbal statement to the FBI. Refer to the report in Section 6.

Luis Guerra

DOB: [REDACTED]

Interviewed at Kraft Heinz Company: 4601 C Street SW, Cedar Rapids, IA

Witness; provided a verbal statement to the FBI. Refer to the report in Section 6.

Colby Corrigan

Sanitation Supervisor with Kraft Heinz Company

Interviewed at Kraft Heinz Company: 4601 C Street SW, Cedar Rapids, IA

Witness; provided a verbal statement to the FBI. Refer to the report in Section 6.

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Ben O'Dell

DOB: [REDACTED]

Interviewed at Kraft Heinz Company: 4601 C Street SW, Cedar Rapids, IA

Witness; provided a verbal statement to the FBI. Refer to the report in Section 6.

Jacob Beaver

DOB: [REDACTED]

Interviewed at Kraft Heinz Company: 4601 C Street SW, Cedar Rapids, IA

Witness; provided a verbal statement to the FBI. Refer to the report in Section 6.

Eureka Graves

DOB: [REDACTED]

Address: [REDACTED]

Phone number: [REDACTED]

Witness; provided a verbal statement to the FBI. Refer to the report in Section 6.

Natoya Cole

DOB: [REDACTED]

Address: [REDACTED]

Phone number: [REDACTED]

Witness; provided a verbal statement to the FBI. Refer to the report in Section 6.

Darrell Todd

Parole and Probation Officer with the First Judicial District for the State of Iowa Department of Corrections.

Witness; provided a verbal statement to the FBI. Refer to the report in Section 6.

L) DISPATCH RECORDS AND RECORDINGS (Section 12)

The following Dispatch records were collected and added to Section 12:

On February 11, 2019, Detective (Det.) Matthew Wehn and Det. Wendy Remmers acquired a disc with the Nevada National Security Site, SOC dispatch audio log.

Det. Remmers reviewed the recording and the following information was noted:

There were several places in the dispatch audio that were inaudible.

- It was broadcast that a dirty black Kia Forte passed "Headquarters" at approximately 50-60mph.

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- Nye County was notified and reports came in that the suspect's vehicle was traveling in excess speeds of 90mph.
- Phase 2 was activated, due to a suspicious Kia sedan was traveling in excess speeds. It was called out to close the DAF. Armored vehicles were blocking the access to the DAF.
- The suspect's vehicle stopped on Mercury Highway. "Shots fired" was called out. Traffic was to be blocked on southbound Mercury Highway. "Shots fired" called out, suspect down, send Nye County medical.
- Traffic diverted off of Mercury Highway to the 507 road. Mercury highway was closed.
- It was confirmed, no one else was injured and the suspect was down.
- Central Dispatch was notified it is a SPO involved shooting and Fire and Rescue were on scene.
- The Phase 2 was dropped down to a Phase 1.
- LT Murphy from the Nye County Sheriff's Office had arrived and was directed to Mercury Highway and the north end of Berma Rd.
- A call came out from Central Dispatch to have SPO Harris make a phone call to Central Dispatch, as soon as possible.

The complete length of audio is 18 minutes and 25 seconds. Please refer to the audio recording for complete details.

On February 11, 2019, Sergeant (Sgt.) Jeffrey Jourdan and Detective (Det.) Wendy Remmers acquired a disc with the Nye County dispatch audio call log and dispatch audio log.

Det. Remmers reviewed the recording and the following information was noted:

Two phone calls were placed to dispatch, in reference to the officer involved shooting.

On January 28, 2019 at 5:17pm, Deputy Bergstrom placed a phone call to Nye County dispatch. Deputy Bergstrom notified dispatch that shots were fired at the "test site." He requested the sheriff's phone number. Dispatch asked if a call for service needed to be created and if other units needed to be sent to the test site. Deputy Bergstrom stated "he thinks so." Deputy Bergstrom was transferred to the sheriff's cell phone.

On January 28, 2019, unknown time, Deputy Kakavulias placed a phone call to Nye County dispatch. Deputy Kakavulias called to make sure dispatch knew about the

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shooting and that he was "Code 4" and he was the shooter. Deputy Kakavuvlias requested dispatch to contact "Dillon Powell" or someone with the union. He also requested detectives, the sheriff and undersheriff. He asked to be notified when other officers arrived, to make sure others were let through the gate.

The complete audio length is 3 min and 55 seconds. Please refer to the recording for complete details.

On February 11, 2019, Sergeant (Sgt.) Jeffrey Jourdan and Detective (Det.) Wendy Remmers acquired a disc with the Nye County dispatch audio call log and dispatch audio log.

Det. Remmers reviewed the recording and the following information was noted:

- Dispatched broadcast that Mary 3 was involved in a shooting on the test site. He was in need of detectives and it was unknown if an additional deputies were needed.
- Dispatch stated she does not have much information on the incident, due to she could not get information from Mary 3.
- Nye 8 was told that Mary 3 was Code 4 and Nye 1, Nye 2 and Narcs 2 were already instructed to respond.
- Nye 8 requested an additional detective and IA to respond. Nye 8 stated he spoke with Narc 2 and Narc 2 is responding in a union capacity, not an agency capacity.
- Nye 8 requested dispatch to contact "Jordan" to make sure badges were at the gate to the test site.
- At 12:58:23AM, Nye 8 cleared from the Mercury test site with Mary 3 with him.

The complete audio length is 6 minutes and 01 second. Please refer to the audio recording for complete details.

M) RELATED REPORTS AND MISCELLANEOUS DOCUMENTS (Section 11)

The NNSS provided a report with the cattle guard to the NNSS Main Gate, including Security Signage and photos.

Refer to the complete report in Section 11.

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N) FORENSICS REQUESTS/RESULTS (Section 9)

To view the lab requests and complete reports of the laboratory results and conclusions refer to the information in Section 9.

Firearm Examination(s)

On February 8, 2019 a Las Vegas Metropolitan Police Department (LVMPD) Forensic Laboratory Request was submitted requesting for a function testing and ballistic comparison evidence on both Deputy Kakavulias and SPO Harris' firearms.

On April 22, 2019 Forensic Scientist Glenn Davis, submitted the Report of Examination: Firearms. The following evidence was examined and the results are reported below.

Results and Conclusions:

Firearms and Magazines

The New Frontier Armory rifle was examined, test fired and found to be operational with no noted malfunctions. This rifle has a barrel length of approximately 11 13/16 inches, an overall length with the stock fully collapsed of approximately 27 7/8 inches, an overall length with the stock fully extended of approximately 30 5/8 inches, and has a trigger pull of 6 ¼ pounds. The submitted magazine denotes a capacity of sixty cartridges.

The Colt rifle was examined, test fired and found to be operational with no noted malfunctions. This rifle has a barrel length of approximately 16 ¼ inches, an overall length with the stock fully collapsed of approximately 30 7/8 inches, an overall length with the stock fully extended of approximately 34 1/8 inches, and has a trigger pull of 6 pounds. The submitted magazine has a capacity of thirty cartridges.

Comparisons

The evidence cartridge cases were examined and microscopically compared to the test fired cartridge cases from the submitted rifles with the following results:

- Four cartridge cases were identified as having been fired in the New Frontier Armory rifle.
- One cartridge case was identified as having been fired in the Colt rifle.

The bullet was examined and microscopically compared to the test fired bullets from the submitted rifles with the following results:

- The bullet was determined to be consistent with centerfire nominal .22 caliber, to include Remington.

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- The bullet had similar general rifling characteristics and some similar markings as the test fired bullets from the New Frontier Armory rifle. However, the bullet could not be conclusive identified as having been fired from the New Frontier Armory rifle due to insufficient markings and damage.
- The bullet was eliminated as having been fired from the Colt rifle.